

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1834

IN THE MATTER OF:

Served April 19, 1978

Application of RODGERS E. JOHNSON)
T/A J & J BUS SERVICE for Temporary)
Authority to Perform Regular Route)
Operations - Prince George's)
County, Maryland)

Case No. AP-78-5

By application filed February 14, 1978, Rodgers E. Johnson trading as J & J Bus Service (Johnson) seeks temporary authority pursuant to Title II, Article XII, Section 4(d)(3) of the Compact, to transport passengers and their baggage from and to the points and over the routes specified below. Atwood's Transport Lines, Inc., filed a protest to said application, and by Order No. 1827, served March 31, 1978, the Commission scheduled the matter for public hearing.*/

On April 7, 1978, Atwood's withdrew its protest, and on April 17, 1978, Johnson filed an application for reconsideration of Order No. 1827 asking that temporary authority be granted without a hearing.

Atwood's protest placed at issue the existence of carrier service capable of meeting the need which Johnson seeks to satisfy. The Commission interprets Atwood's withdrawal as a admission that that carrier does not provide service as proposed by Johnson. Accordingly, the application for reconsideration shall be granted.

Applicant has on file with the Commission evidence of security for the protection of the public. Therefore, the effectiveness of the temporary authority granted herein will be conditioned upon the filing of a suitable tariff and verified evidence of compliance with Commission Regulation No. 68 governing identification of motor vehicles.

*/ Case No. AP-78-4 for corresponding permanent authority was also scheduled for public hearing. Order No. 1827, to the extent applicable to Case No. AP-78-4 is not at issue herein.

THEREFORE, IT IS ORDERED:

1. That Rodgers E. Johnson trading as J & J Bus Service is granted temporary authority to transport passengers and their baggage, over regular routes, from intersection Horsehead Road and Maryland Highway 381, Prince George's County, Md., to Farragut Square, Washington, D. C., and return, serving specified intermediate and off-route points as follows:

From the intersection of Horsehead Road and Maryland Highway 381, over Maryland Highway 381 to Cedarville Road, then over Cedarville Road to U.S. Highway 301, then over U.S. Highway 301 to Maryland Highway 5, then over Maryland Highway 5 to Interstate Highway 495, then over Interstate Highway 495 to Interstate Highway 295, then over Interstate Highway 295 to the Naval Research Laboratory, 4555 Overlook Avenue, S.W., Washington, D. C., then over Interstate Highway 295 to N Street, S.E., then over N Street, S.E., to Interstate Highway 395, then over Interstate Highway 395 to 1st Street, S.W., then over 1st Street, S.W., to Independence Avenue, then over Independence Avenue to 12th Street, S.W., then over 12th Street, S.W., to Constitution Avenue, then over Constitution Avenue to Virginia Avenue, then over Virginia Avenue to 23rd Street, N.W., then over 23rd Street, N.W., to K Street, N.W., then over K Street, N.W., to Farragut Square, serving intermediate points on Maryland Highway 381, Cedarville Road, U.S. Highway 301, Maryland Highway 5, 1st Street, S.W., Independence Avenue, 12th Street, S.W., Constitution Avenue, Virginia Avenue, 23rd Street, N.W., and K Street, N.W., and Duley's Restaurant located near the junction of Maryland Highways 5, 373, and 381, Clinton Shopping Center located near the junction of Maryland Highways 5 and 223, and the Washington Navy Yard located in southeast Washington, D. C., as off-route points, and return over the same route.

Restricted to passengers traveling between points in Prince Georges County, Md., on the one hand, and, on the other, points in the District of Columbia.

2. That said temporary authority shall become effective Monday, May 1, 1978, and shall remain in effect until 11:59 p.m., Tuesday, October 27, 1978, unless otherwise ordered by the Commission.

3. That Rodgers E. Johnson is directed to file with the Commission (a) two copies of an appropriate WMATC Temporary Authority Tariff No. 1 and (b) a notarized statement of compliance with Commission Regulation No. 68, no later than Thursday, April 27, 1978.

4. That, unless such filings are timely made, the grant of temporary authority herein shall be considered null and void and Case No. AP-78-5 shall stand denied in its entirety effective upon the expiration of the said compliance time.

BY DIRECTION OF THE COMMISSION:


WILLIAM H. MCGILVERY
Executive Director